

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BAY AREA PAINTERS AND
TAPERS PENSION FUND, et. al.,

Plaintiffs,

v.

CCR BUILDERS, INC.,

Defendant.

NO. C06-7097 TEH

ORDER GRANTING MOTION
FOR DEFAULT JUDGMENT

Having received the Summons and Complaint in the within action, together with appropriate proofs of service, and no response having been received from Defendant CCR Builders, Inc. within the time permitted by law, the Clerk of the Court entered default of Defendant on December 22, 2006.

Now, upon hearing Plaintiffs' motion and considering their supporting declarations, exhibits, and memorandum of points and authorities, the Court hereby ORDERS, ADJUDGES AND DECREES as follows:

1. Defendant shall submit to an audit of its records for the period of January 1, 2005, to December 31, 2005. Defendant shall grant Plaintiffs' auditor access to their premises and to those records that the auditor may require to conduct the audit pursuant to the terms of Collective Bargaining Agreement and Trust Agreements incorporated therein. Defendant shall schedule an appointment for such audit with Plaintiffs' auditor within ten (10) days of the date of this order, and shall cooperate fully with the auditor by providing any requested documentation before the date of the audit.
2. The Court retains jurisdiction over this matter to ensure that Defendant complies with this order. Following the audit of Defendant's records, Plaintiffs shall submit to the Court the proposed damages, calculated pursuant to the terms of the Collective

1 Bargaining Agreement and Trust Agreements incorporated therein, including unpaid
2 contributions, liquidated damages, interest, and the cost of the audit. Plaintiffs shall
3 also be entitled to additional attorney's fees reasonably incurred in enforcing any part
4 of this judgment.

5 3. Plaintiffs shall have and recover their attorney's fees in the amount of \$748.00.

6 4. Plaintiffs shall have and recover their costs in the amount of \$540.00.

7 5. The Clerk shall enter judgment against Defendant and close the file.
8

9 **IT IS SO ORDERED.**

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11 Dated: 04/02/07



THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT